

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

(1)CLIFFORD TIERCE,)
)
Plaintiff,)
vs.) Case No. 15-CV-358-CVE-FHM
)
(2)THE US BAIRD CORPORATION,)
a/k/a THE BAIRD MACHINERY)
CORPORATION, a/k/a BAIRD)
INDUSTRIES, LLC, a foreign)
corporation or limited liability company,)
)
Defendant.)

PETITION IN INTERVENTION

COMES NOW American Interstate Insurance Company, ("American Interstate") by and through its attorney of record, Eric J. Begin, of the law firm of McGivern & Gilliard, Tulsa, Oklahoma, and for its Petition in Intervention would allege as follows:

1. On or about January 22, 2015, Plaintiff filed his Petition in the above-referenced action in Tulsa County District Court.
2. Intervenor American Interstate would adopt and incorporate all of Plaintiff's allegations in his Petition against Defendant as set forth fully herein pursuant to Federal Rule of Civil Procedure 10(c).
3. Subsequent to the accident described in Plaintiff's Petition, Plaintiff filed a workers' compensation claim against his employer, Actions Springs Company, Inc. As a result of said claim, Intervenor American Interstate incurred in excess of \$300,000.00 in damages. Intervenor is entitled to subrogation against Defendant pursuant to Title 85 O.S. §348 and all binding, precedential authorities interpreting the same.



WHEREFORE, Intervenor American Interstate respectfully requests judgment against Defendant in the amount of its subrogated interest, together with all costs, attorney fees, interest and any other relief the deemed just by this Court.

Respectfully submitted,

MCGIVERN & GILLIARD

S/ Eric J. Begin

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Attorney for Intervenor

CERTIFICATE OF MAILING

I hereby certify that on June 29, 2015, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants (names only are sufficient):

Gary A. Eaton
Michael Green
John R. Paul

S/ Eric J. Begin

Eric J. Begin